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TO: The Inter-Agency Air Quality Task Force

FROM: Elizabeth Kluesner

SUBJECT: 8-Hour Ozone Attainment and Nonattainment Areas – Initial Designation
Recommendations to US-EPA based on 2000-2002 Design Values (v6)

The Department of Natural Resources recommends that the Governor send a letter to the Administrator of US-EPA by July 15, 2003 indicating support for the following area designations based on the air quality monitor record for ozone during the 2000, 2001 and 2002 monitoring seasons. This recommendation is subject to the understanding that EPA's preliminary and final designation decisions in December 2003 and April 2004 will be based on data from the 2001, 2002 and 2003 ozone monitoring seasons.

Counties with a Recommended Nonattainment Status

Door

Jefferson*

Kewaunee

Manitowoc

Milwaukee/Racine Consolidated Metropolitan Statistical Area (CMSA)

- Kenosha
- Racine
- Milwaukee
- Waukesha
- Washington
- Ozaukee

Sheboygan

**Preliminary recommendation subject to formal data review by EPA (see following page)*

Counties with a Recommended Attainment Status

All other Wisconsin counties

Additional Considerations

The Department is in consultation with stakeholders and local interests regarding the appropriate boundaries for area definition(s) associated with nonattainment status. The Department recommends that Door County continue to be classified as a Rural Transport county if such classification remains valid in conjunction with the designation decision EPA will make in April 2004. The Department further recommends that Wisconsin and EPA continue the state's Ozone Implementation Plan (Ozone SIP) development responsibility for Kenosha County and that the county continue to be part of a broader nonattainment area that includes at least the other existing 1-hour ozone nonattainment areas in the southeastern part of the state.

Basis for the Recommendations

The counties recommended for designation as nonattainment either contain monitors showing a violation of the 8-hour ozone standard based on EPA's 8-hour design value methodology, or, they are part of the

existing nonattainment area for the 1-hour ozone standard and will remain subject to the emission controls in the 1-hour ozone attainment SIP which projects attainment of the 1-hour standard by 2007. All counties recommended for 8-hour nonattainment status demonstrate direct contribution to elevated ozone concentrations at monitors that record 8-hour ozone violations. The Jefferson County recommendation is subject to formal review of the monitor data record for 2000 and resolving if EPA's quality assurance protocol for ozone monitors now indicates an ozone standard violation at this site based on invalidation of a substantial number of days during 2000 season.

The technical evaluations conducted in accordance with EPA guidance for state area designation recommendations indicate that additional counties in eastern and southern Wisconsin (the "collar" counties of Brown, Calumet, Outagamie, Winnebago, Fond du Lac, Dodge, Columbia, Rock, Dane and Walworth) contribute to some extent to the elevated ozone concentrations in some or all of the counties recommended for nonattainment status. The current three year period (2000-2002) indicates that the collar counties are locally monitoring attainment. Some areas in other states upwind of the violations similarly contribute to the elevated ozone concentrations in eastern Wisconsin.

Public sector officials in some of the collar counties have expressed interest in making voluntary emission reductions to improve air quality and public health in their areas and in non-attainment areas that their emissions impact. The Department will pursue options to achieve significant voluntary reductions in the collar counties at this point in time to address emission reductions in these areas while avoiding the added burden of nonattainment status in additional counties.

Local stakeholder input to the recommendations has yet to indicate strong support for a broadened area of nonattainment designations, and the recommended nonattainment areas are presumed to be of sufficient geographic scope to enable development of a viable attainment demonstration of the 8-hour standard in conformance with the requirements of the Clean Air Act.

To assure the viability of the voluntary reduction option, the Department will work with appropriate stakeholder groups (e.g. – local government, private sector, transportation interests, environmental groups) to develop a process to define suitable voluntary reduction categories and document the emission reductions to be achieved. This will assure that the voluntary reductions to be made can receive appropriate credit in the state implementation plan for achieving attainment of the 8-hour ozone standard.